

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

LORENZO HADLEY,

Plaintiff,

v.

S. MENDES, et al.,

Defendants.

Case No. 1:22-cv-0093 JLT SKO (PC)

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
THE ACTION WITHOUT PREJUDICE**

(Doc. 12)

The magistrate judge found Plaintiff failed to obey Courts orders, failed to keep the Court apprised of his current address, and failed to prosecute this action. (Doc. 12.) Therefore, the magistrate judge recommended the action be dismissed without prejudice. (*Id.* at 4.)

The Court served the Findings and Recommendations on Plaintiff by mail at the only address on record, and informed Plaintiff that he had fourteen days to file any objections. (Doc. 12 at 4.) The Findings and Recommendations were returned marked “Undeliverable, Inactive, Refused, [Return to Sender], Unable to Forward” on May 4, 2023. Notably, all Court mail has been returned as undeliverable since March 14, 2023.¹

According to 28 U.S.C. § 636(b)(1)(C), this Court conducted a *de novo* review of this

¹ Local Rule 183(b) requires individuals to keep the Court informed of a current mailing address. Pursuant to Local Rule 183(b), “If mail directed to a plaintiff *in propria persona* by the Clerk is returned by the U.S. Postal Service, and if such plaintiff fails to notify the Court and opposing parties within sixty-three (63) days thereafter of a current address, the Court may dismiss the action without prejudice for failure to prosecute.” Because more than 63 days have passed since the mail was first returned, dismissal is also appropriate for failure to comply with the Local Rule.

1 case. Having carefully reviewed the entire matter, the Court concludes the Findings and
2 Recommendations to be supported by the record and proper analysis. Thus, the Court **ORDERS**:

- 3 1. The Findings and Recommendations issued April 19, 2023 (Doc. 12) are
4 **ADOPTED** in full.
- 5 2. The action is **DISMISSED** without prejudice.
- 6 3. The Clerk of Court is directed to close this case.

7
8 IT IS SO ORDERED.

9 Dated: **May 18, 2023**


UNITED STATES DISTRICT JUDGE